

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE:

Chapter 13  
Case No. 08-22504 RDD

**SPIRO MILLIARESSIS AND  
ANN MILLIARESSIS,**

Debtors

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**ORDER DISMISSING CHAPTER 13 CASE**

The chapter 13 trustee having moved, on due notice, for an order dismissing this chapter 13 case; and there being no opposition to the requested relief; and, upon the motion and the record of the May 25, 2011 hearing thereon, the Court having found that the above-captioned debtors have failed to comply with 11 U.S.C. § 1307(c) (1) and (c)(6) and the order confirming their chapter 13 plan dated December 24, 2008 directing the debtors to remit monthly payments according to plan; and there being a material default in this confirmed plan; and good cause appearing,

**IT IS ORDERED THAT:**

This chapter 13 case is hereby dismissed. The chapter 13 trustee shall take all actions required by the dismissal of this case.

Dated: White Plains, New York  
May 26, 2011

/s/ Robert D. Drain  
**UNITED STATES BANKRUPTCY JUDGE**